

KILLING WAS JUSTIFIABLE.

Mexicans Invited Shooting and Paid the Penalty.

Assistant District Attorney J. E. Morrison and Deputy Sheriff Frank Burns returned on last evening's train from Ash Fork, where they went to investigate the killing of the two Mexicans at Meath by Thomas Brown and his son, Archie Brown.

The testimony taken at the inquest showed that the killing was unmistakably justifiable and in self defense, and the coroner's jury exonerated them and they were not placed under arrest.

Not only was the deed justifiable, but it is almost a miracle that the Browns, father and son, were not killed.

The Mexicans, who were named Bonita Garcia and Pablo Olgin, had been hanging around the sheep camps in that vicinity for several days and had been intimidating the herders, and firing into the flocks of sheep and acting in a general lawless manner.

Mr. Brown and his son had been told of their actions by the herders and went out to warn them away.

There was one sheep herder at camp besides the two desperadoes and he says that when the latter saw Mr. Brown and his son approaching, they told the herder that they intended killing them.

When the Browns rode up to the camp the men were seated on a log with their rifles lying across their knees being armed also with six shooters in their pockets.

Archie Brown, who speaks Spanish told the men that they had been hanging around there long enough and must leave.

Garcia replied that no one could run them and at the same time commenced to pump a cartridge into his gun. Archie Brown who was armed only with a six shooter, and who had emptied it of every load except one by shooting at coyotes and jack rabbits on the way out there drew his gun and fired at Garcia the bullet striking squarely between the eyes and he dropped over without being able to get the cartridge in his gun. Before consciousness left him he drew his six shooter and discharged it, but failed to take aim and the bullet went wide of its mark.

While this tragedy was being enacted and it all happened in less time than it will take to read it, Olgin raised his gun and aimed at Thomas Brown while the latter was trying to get his gun from the scabbard of his saddle. The Browns were still mounted and their animals kept jumping around causing trouble to Mr. Brown in getting his rifle in action. When he finally got it free it was prematurely discharged, the bullet going into the ground only a few feet away.

The Mexicans was however not losing any time as he fired two shots at the father and one at the son while the former was extricating his rifle. Olgin only had three cartridges in his gun and when he fired the last one, he dodged behind a tree to refill his magazine from a supply of cartridges he carried in his pockets.

While doing this the Browns rode around where he could get aim at him and fired, the bullet entering his side and passing clear through him coming out at the opposite side passing through his heart in its flight and the man fell dead in his tracks.

Though unconscious, the one with the bullet wound in his head continued to breathe for about two hours, dying after the arrival of Justice of Peace Gillett and Constable Foley from Ash Fork.

One of the desperadoes was a powerfully built man and had just been discharged recently from the penitentiary at Santa Fe, New Mexico. The other was quite a young man, but there is no doubt that they had both decided to return upon a career of crime and their taking off was a benefit to the territory.

A gentleman who came down on the train relates a circumstance which shows that the Browns did not anticipate any trouble when leaving for the camp. While the father, as is the custom among stock men generally, had a rifle on his saddle, the son left without any weapons whatever. After they had started his mother called to them and carried a six shooter to her son, telling him to take it along as he might need it.

He took the weapon, but showed how little he expected to be called upon to use it in defense of his life, by shooting all the loads out of it except at rabbits and coyotes on the way.

With the disadvantage at which they were taken, it seems miraculous that one or both of them was not killed, and had they succeeded in killing the Browns there is no doubt the outlaws would have completed their bloody work by killing the herder also so he could tell no tales.

The desperadoes had two animals which with their guns were auctioned yesterday and the proceeds of the sale applied to paying the expense of their burial.

Assistant District Attorney Morri-

son advised the Browns to come to Prescott when the grand jury convenes next week and have that body investigate it which they will no doubt do.

ACCIDENT INSURANCE

A. J. Herndon is selling a good accident insurance policy. While he does not solicit business of this kind any one desiring an accident policy, with identification card, and pocket book to carry it in, can be accommodated by him on application. The company issuing the policy is the North American Accident Insurance company of Chicago, which has \$100,000 deposited with the Illinois Insurance department for the protection of all policy holders. In addition to the insurance an identification card is also issued and in case of sudden illness resulting in unconsciousness while the policy holder is from home the company agrees to pay the expense of returning the insured to his home, provided it does not exceed \$100. In case of disability from accident a weekly benefit of \$15 per week is paid for not to exceed five weeks and in case of death from accident the sum of \$2,000 is paid to the beneficiary named in the policy. It is a good thing to have and it costs only \$5 per year.

Railroad Excursions

Grand Canyon excursions—Dates of sale every Tuesday, Wednesday and Friday; return limit sixty days; rate, \$11.40.

Steamship tickets to all ports in Europe, South Africa and Australia. For rates, sailing dates, Burke hotel city passenger office.

WORLD'S FAIR

Round trip St. Louis, Mo., \$57.90. Chicago, Ill., \$63.00. On sale Oct. 19, 20, 26, 27; good returning 90 days from date of sale. 6-8-11

CROWN KING.

Excursion to Crown King and return every Sunday, \$2.00, return same day. Crown King and Middleton to Prescott every Saturday good returning following Monday, \$4.00. 8-31

MASONIC GRAND LODGE.

Tucson, Ariz., Nov. 15th, 1904. Tickets on sale November 13 and 14. One fare for the round trip on the certificate plan. Return limit Nov. 30, 1904. 10-23x13d

Los Angeles and return Tuesdays and Saturdays of each week \$29.20 return limit 30 days. 9-30-11

Annual meeting Federation of Women's clubs of Arizona, Bisbee, Arizona Nov. 16 to 18, tickets on sale Nov. 13, 14, 15, 16, one fare for round trip on certificate plan return limit Nov. 22nd 9-30-11

J. W. KRAEMER, Ticket Agent

Nothing equals a wholesome beer as a beverage. The Voge Wholesale Liquor company are distributors of the leaders, Pabst, A. B. C., Anheuser-Busch and M. & Z., in quarts and pints. 7-13-11

Impoverished Soil

Impoverished soil, like impoverished blood, needs a proper fertilizer. A chemist by analyzing the soil can tell you what fertilizer to use for different products.

If your blood is impoverished your doctor will tell you what you need to fertilize it and give it the rich, red corpuscles that are lacking in it. It may be you need a tonic, but more likely you need a concentrated fat food, and fat is the element lacking in your system.

There is no fat food that is so easily digested and assimilated as

Scott's Emulsion of Cod Liver Oil

It will nourish and strengthen the body when milk and cream fail to do it. Scott's Emulsion is always the same; always palatable and always beneficial where the body is wasting from any cause, either in children or adults.

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SMELTER TO BE FINISHED.

Arrangements Made to Rush Completion of Work.

A private letter has been received in this city that conveys the excellent news from Colonel John T. Rigby that his smelter at Mayer is to be completed as soon as it is possible to get the machinery on the ground, and inside of a few months at the farthest the plant will be in operation. The financial difficulties met with have been overcome and it is the purpose of the company to carry out the work at once as originally outlined. The machinery is being constructed in Denver, at which point Mr. Rigby was a few days ago, and in his letter he stated that after returning from New York he would locate permanently at Mayer and personally assume the work of placing the machinery in place, and there would be no let up until the plant was in working order.

All buildings have been completed for several months and all that remains is to install the various appliances to be used in the reduction of ores to be treated. The method is known as the Pohe-Croasdale system of volatilization, and the same is especially adapted to the treatment of ores that abound in this section of the southwest, previous experiments having been made by this process on the character of ores to be handled at Mayer.

It will be the second smelter of its kind in the world, and mining men familiar with its method, say that it will be a great avenue in the economical treatment of especially silicious products, accordingly stimulating the mines in development that are at present idle.

The receipt of this news will be agreeably welcomed, and very much interest will follow the inauguration of the plant. Miners with good looking prospects are to be congratulated accordingly, as at Mayer they will be accommodated with two excellent markets in smelting facilities, the well known Treadwell smelter also being ready to blow in.

Another Shooting Affray.

Last night's Crown King train had for passengers from Dewey. Mrs. William Horne and an old Mexican goat herder in her employ, who were brought to Prescott for medical treatment.

Mrs. Horne was suffering from a slight gun shot wound on one of her shins while the Mexican was more seriously wounded, his wound being in the region of the abdomen, it being stated that he was shot through the intestines.

Before taking them to the hospital Dr. Smith made a cursory examination of the old man and stated that his pulse was very strong and did not indicate any serious abdominal wound.

The affair which resulted in their wounding occurred on Wednesday evening about 6 o'clock at the station kept by William Horne, until two days since, when Mrs. Horne relates that he died.

Bob Weyms, who calls himself the "Irish Lord" seems to have been mixed up in the affair, but the particulars of the shooting were difficult to obtain. It seems however that Weyms was a persona non grata at the Horne mansion and was ordered away by Mrs. Horne and the Mexican. Weyms refused to move at their command and it is alleged that the Mexican flashed a pistol on him which however instead of frightening Weyms, only enraged him.

One version is that he took the gun away from the Mexican and then shot him.

Another is that in the scuffle over the possession of the gun it was discharged inflicting the wound on the Mexican.

Just where the bullet came from that plowed a furrow in Mrs. Horne's shin was not clearly shown from the narratives told.

The old lady, for she is sixty years old was very indignant at being brought to town as she claims her injuries are not of sufficient gravity to occasion a trip here but that she could have taken care of it herself. While she says she had nothing to do with the shooting of the Mexican.

Constable Ed Mahurin brought them to town. Weyms disappeared after the fracas but will likely be apprehended and brought to Prescott to explain how it happened that he was not shot.

Left With Prisoners.

John Smith, the Lincoln county, Nevada constable, who arrested Oscar Hobson, at Walnut creek; and the two men who left Nevada with him, and who joined him in Prescott a few days after Hobson's arrest, left on Tuesday evening with their prisoner, going overland on horseback. Their departure was kept very quiet as the officers did not apply for requisition papers before leaving and did not want to take chances of being interfered with. When Hobson was brought out of jail

to be taken away he asked if the officers had requisition papers for him. He was informed that they had not and that if he objected to going they would not take him until requisition papers were secured which could be done in a couple of days. Hobson agreed to waive this formality so the quartette took their departure just about dark. It will take from a week to ten days to make the trip to the county seat of Lincoln county, Nevada, where the crime was committed.

Note From Ryan.

Jerome, Ariz., Nov. 2, Editor Journal-Miner—In the Journal-Miner of the 2nd instant there appeared an item in the local news from Jerome that I and Wm. Nagle went to the Equator mine on political business returning on the same day.

In reference to the above I wish to say that there is no truth whatever in the item so far as the political aspect of my trip was concerned. As a matter of fact Mr. Nagle, Mr. Schwartz and myself rode to the Equator together and then went about our own individual business, Mr. Nagle on his, Mr. Schwartz for the Pacific Mutual company and myself for the Jerome Miner's Union. In connection with my trip to the Equator I wish to state that my errand was solely as a representative of Jerome Miners Union and I am sure that both of the gentlemen who accompanied me will vouch for the statement that politics were not at any time discussed. While I am not aware of the political convictions of the gentlemen who accompanied me, I wish to say for the benefit of those gentlemen and your many readers that when I do politics, I do it as a socialist. Albert Ryan.

Failed In His Scheme.

A telegram from Tucson says: A masked man with pistol in hand entered one of the largest saloons in the city today and ordered all present to hold up their hands. There were eight players at the card table and these were stood up against the wall. The highwayman proceeded to help himself to the coin in sight. At this point Officer Wheeler, of the rangers, appeared on the scene and opened fire on the bandit. They exchanged several shots and the bandit fell wounded. While he lay on the floor he placed his pistol to his temple and fired one bullet, but the wound was not a serious one. The highwayman had an accomplice on the outside of the place who fired one shot at Wheeler, but missed him. The wounded bandit is in the hospital and his wound is serious.

CRESCENTS ENTERTAIN

The Crescent literary society of the Prescott high school gave a very interesting entertainment in the auditorium of the high school building yesterday afternoon.

There were quite a number of friends and patrons of the schools present and the entertainment was very greatly enjoyed by them. The literary part of the program was fully up to the usual high standard of excellence attained by the pupils while the musical part of the program is pronounced by those present to have excelled anything given before. The pupils of public schools in every department are certainly doing good work and are making fine progress in their studies.

Mamie Davis is president of the Crescent society. The program of Friday afternoon follows: Piano duet, Edith Gattfield and Hazel Martin; Essay, "Old Mexico," Don Tomlinson; Declaration, "In School Days," Ethel Dayton; Declaration, "The Ride of Jennie McNeil," Orange McNeil; Piano Solo, Claire Stone; Declaration, "Guilty or Not Guilty," Opal Creekmur; Declaration, "When the House is Alone by Itself," Alma Rogers; Essay, "The Coliseum," Louise Draper; Declaration, "Our Biggest Fish," Philip Beach; Vocal Solo, Miss Claire Cline; Declaration, "If We Knew," Lydia Sines; Declaration, "The Old Stage Door," Edith Whitsey; Declaration, "Taking an Elevator," Millicent Keating; Current Events, Tom Higley; Vocal Solo, Miss Carpenter.

DeWitt

DeWitt is the name to look for when you go to buy Witch Hazel Salve. DeWitt's Witch Hazel Salve is the original and only genuine. In fact DeWitt's is the only Witch Hazel Salve that is made from the unadulterated
All others are counterfeit—base imitations, cheap and worthless—even dangerous. DeWitt's Witch Hazel Salve is a specific for Piles, Blind, Bleeding, Itching and Protruding Piles, Also Cuts, Burns, Bruises, Sprains, Lacerations, Contusions, Bolls, Carbuncles, Eczema, Tetter, Salt Rheum, and all other Skin Diseases.
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E. C. DeWitt & Co., Chicago

OUR LOYAL GOVERNOR.

He Makes an Emphatic Statement Officially, on the Issue of Statehood.

The annual report of the governor of Arizona to the secretary of the interior, says the territorial population has increased considerably and that the total population now is between 165,000 and 170,000. It expresses a desire on the part of the people for statehood but says, "finding themselves confronted with a plan to unite their territory with New Mexico the people of Arizona have protested vigorously and will continue to do so until they have defeated this repugnant scheme. They would desire that their commonwealth remain a territory indefinitely rather than be joined with New Mexico."

The governor adds his belief that the merger would not be acceptable to the mass of the people of either territory.

The report says that the floating indebtedness of Arizona, which on June 30, 1903, was \$92,341, has been wiped out and a balance of \$20,849 remained in the general fund at the close of the last fiscal year. Taxable property in the territory has gained \$1,981,505 during the year. The total taxable property for the various counties is \$45,063,545. Substantial progress in other directions is reported.

Arizona Mutual Savings Bank.

Notice is hereby given that subscriptions to the capital stock of a banking corporation to be known as Arizona Mutual Savings Bank, will be received at Room 24, Bank of Arizona Building, Prescott, Arizona, between the hours of 10 o'clock a. m. and 12 m., of each day from October 10th, 1904, until November 15th, 1904. Subscriptions will be taken at par value of stock of proposed corporation, to wit: \$10.00 per share, and must be paid in on or before December 1st, 1904. A large amount has already been subscribed. If a sufficient amount of local subscriptions are received the proposed bank will begin business in Prescott, Arizona, in the near future. Address letters to Lock Box No. 453, Prescott, Arizona. 10x9xSTTx10

STOCKHOLDERS' MEETING.

Notice is hereby given that the annual meeting of the stockholders of the Arizona & California railway company will be held at the office of the company, in the city of Prescott, territory of Arizona, on Wednesday, the 16th day of November, 1904, at 12 o'clock noon of said day, for the purpose of electing a board of directors for the ensuing year, and for the transaction of such other business as may properly be brought before the meeting. Books for transfer of stocks will be closed November 1st, remaining closed until December 1st, 1904. Dated at Prescott, Arizona, this 10th day of October, 1904. (Signed) F. M. Murphy, Wallace Fairbank, President. Secretary. 10x12xtd

STOCKHOLDERS' MEETING.

Notice is hereby given that the annual meeting of the stockholders of the Santa Fe, Prescott & Phoenix railway company will be held at the office of the company, in the city of Prescott, territory of Arizona, on Wednesday, the 16th day of November, 1904, at 12 o'clock noon of said day, for the purpose of electing a board of directors for the ensuing year, and for the transaction of such other business as may properly be brought before the meeting. Books for transfer of stock will be closed November 1st, remaining closed until December 1st, 1904. Dated at Prescott, Arizona, this 10th day of October, 1904. (Signed) F. M. Murphy, Wallace Fairbank, President. Secretary. 10x12xtd

Proposals For Sewer Extension.

SEALED PROPOSALS—For labor and material necessary in excavating trench and laying pipe for extension of outfall sewer, in accordance with plans and specifications on file in the city clerk's office will be received at the common council chambers in the city of Prescott until 2 O'CLOCK P. M., NOVEMBER 12, 1904.

The right is reserved to reject any and all bids. By order of the common council of the city of Prescott.

H. H. Cartter, City Clerk.

Dated October 27, 1904.

First publication October 29, 1904

PASTURAGE.

I will ship horses to Salt River valley pastures on Monday, November 14th. Those having horses which they wish to put out to pastures for the winter will please see me or leave word at the Fashion livery stables. 10x5x7 George C. Ruffner.

Phone your wants, for sale, or for rent advertising to the Journal-Miner, Phone number 14, and you will get results.

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